

## **REMARKS**

### **I. Remarks on the Amendment**

Applicants respectfully request entry of the foregoing amendments. Upon entry of the amendments, claims 1 and 44-99 will remain pending. No claims are being added or canceled, and only claim 64 is being amended. Exemplary support for the amendments to claim 64 exists in the specification at page 5, lines 18-22.

### **II. Remarks on the Restriction Requirement**

In response to the restriction requirement, Applicants hereby provisionally elect Group II (claims 64-85) and Group A (Core antigen) for examination. In response to the requirement for an election of species, Applicants hereby provisionally elect Group (d) (cardiolipin) and Group (i) (diphosphoryl lipid A) for examination.

The elections are made with traverse. One basis for traversal is that claim 64 is a genus claim linking the various species of Groups A-H. The linking claim should be examined with the elected invention. If it is found to be allowable, the restriction requirement between Groups A-H should be withdrawn.

Another basis for traversal is that the Office failed to justify the need for restriction. In regard to Groups I and II, for example, the Office incorrectly stated that Group I comprises a single HCV antigen, whereas Group II comprises multiple HCV antigens. The claims in both groups, however, have open language allowing more than one HCV antigen to be present and allowing the antigen to comprise "one or more polypeptides." Accordingly, the restriction requirement is unjustified.


### **III. Concluding Remarks**

Applicants respectfully request prompt and favorable consideration of the application as amended.

If the Examiner believes that an interview would advance prosecution of the application, he or she is invited to contact the undersigned attorney by telephone.

Respectfully submitted,

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By 

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